

EXHIBIT I

From: Wooten, JD <JD.Wooten@wbd-us.com>
Sent: Thursday, August 22, 2024 7:30 AM
To: Elings, G. Roxanne; Toaltoan, Danielle; Tyson, Latoya; David Sar; Christopher B. Dodd; Gutierrez, Adrianna; Sumonu, Lekan
Cc: Wharton, Jake; Dority, James
Subject: RE: Sacks Holdings, Inc. v. Grin Natural USA Limited, et al.

[EXTERNAL]

Counsel:

While we dispute the argumentative nature of the recap below, we agree that Plaintiff represented yesterday during our call that it is not yet in a position to offer assurances as to the exact date by which its document production will be complete. Plaintiff is also not yet in a position to offer an exact volume of documents to be produced. Finally, Plaintiff reiterates that, following Defendants' lead and position on the same, it would be imprudent and impractical to offer search terms as an audit during the review and ongoing production of documents, and as with privilege logs, these are appropriate for disclosure at the conclusion of document production.

We also note for the sake of a more complete record that this recap fails to offer appropriate context to the current discovery dilemmas that are of Defendants' own creation. For example, the below recap does not account for Defendants waiting until the end of the discovery to serve initial document requests. Further, it does not acknowledge that in view of the concerns raised below and other similar concerns, Defendants refused Plaintiff's recent proposal to a modest extension of the fact discovery period to avoid these very kinds of issues.

We also reiterate for the record that from a proportionality perspective, it took Defendants more than three and a half months from the date they served initial objections and responses to document requests for Defendants to complete their document production. Plaintiff has not yet had a month since it served its objections and responses to Defendants' document requests and has already begun production of documents. Given Defendants' course of conduct, we trust that Defendants understand and appreciate the time required to collect, review, and produce records which are responsive to voluminous document requests in a complex trademark and false advertising dispute.

Finally, we dispute whether Defendants have appropriate grounds to keep depositions open based on concerns of their own creation, but for purposes of this email, we acknowledge Defendants' purported reservation of rights and agree to address the issue in good faith if and when the need arises at a future date.

Regards,
JD

JD Wooten
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From: Toalton, Danielle <DanielleToalton@dwt.com>

Sent: Thursday, August 22, 2024 8:52 AM

To: Wharton, Jake <Jacob.Wharton@wbd-us.com>

Cc: Elings, G. Roxanne <RoxanneElings@dwt.com>; David Sar <DSAR@brookspierce.com>; Christopher B. Dodd <CDodd@BrooksPierce.com>; Wooten, JD <JD.Wooten@wbd-us.com>; Dority, James <James.Dority@wbd-us.com>; Tyson, Latoya <LatoyaTyson@dwt.com>; Gutierrez, Adrianna <AdriannaGutierrez@dwt.com>; Sumonu, Lekan <Osumonu@dwt.com>

Subject: RE: Sacks Holdings, Inc. v. Grin Natural USA Limited, et al.

Counsel,

I am writing to recap our meet and confer yesterday regarding Plaintiff's deficient document production. Namely, I inquired when Plaintiff would be completing its production of responsive documents and whether that production would occur before Plaintiff's 30(b)(6) deposition and Mr. Chodorow's deposition, which are scheduled for Tuesday.

Your responses were as follows:

- Plaintiff would not provide a date when it would complete its production or supplement its production;
- Plaintiff would not say whether it would complete its production by Friday or Monday, ahead of Plaintiff's depositions on Tuesday;
- Plaintiff would not provide the details of the volume of documents yet to be produced;
- Plaintiff will not provide the search terms used for Plaintiff's document collection until Plaintiff has completed its document production; and
- Plaintiff would not provide a date when it would serve a privilege log.

We will be proceeding with Plaintiff's depositions on Tuesday but preserve all rights to seek Mr. Chodorow's further testimony once Plaintiff completes its production, including its privilege log. To the extent that Plaintiff produces additional documents before Tuesday, but we do not have sufficient time to review those documents before the depositions, we preserve all rights to call Mr. Chodorow back for further questioning.

Best,
--Danielle

Danielle Toalton She/Her/Hers
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From: Wharton, Jake <Jacob.Wharton@wbd-us.com>

Sent: Wednesday, August 21, 2024 2:11 PM

To: Toalton, Danielle <DanielleToalton@dwt.com>

Cc: Elings, G. Roxanne <RoxanneElings@dwt.com>; David Sar <DSAR@brookspierce.com>; Christopher B. Dodd <CDodd@BrooksPierce.com>; Wooten, JD <JD.Wooten@wbd-us.com>; Dority, James <James.Dority@wbd-us.com>;

Tyson, Latoya <LatoyaTyson@dwt.com>; Gutierrez, Adrianna <AdriannaGutierrez@dwt.com>; Sumonu, Lekan <Osumonu@dwt.com>

Subject: Re: Sacks Holdings, Inc. v. Grin Natural USA Limited, et al.

[EXTERNAL]

Yes. That is fine.

From: Toaltoan, Danielle <DanielleToaltoan@dwt.com>

Sent: Tuesday, August 20, 2024 12:45 PM

To: Wharton, Jake <Jacob.Wharton@wbd-us.com>

Cc: Elings, G. Roxanne <RoxanneElings@dwt.com>; David Sar <DSAR@brookspierce.com>; Christopher B. Dodd <CDodd@BrooksPierce.com>; Wooten, JD <JD.Wooten@wbd-us.com>; Dority, James <James.Dority@wbd-us.com>; Tyson, Latoya <LatoyaTyson@dwt.com>; Gutierrez, Adrianna <AdriannaGutierrez@dwt.com>; Sumonu, Lekan <Osumonu@dwt.com>

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Hi Jake,

We would like to discuss these issues regarding Plaintiff's discovery responses during the tomorrow's meet and confer, scheduled at 4pm. We are particularly concerned about the timing for Plaintiff's supplemental production of documents. As you know, Plaintiff's 30(b)(6) and Mr. Chodorow's depositions are scheduled for Tuesday, August. 27. We would require that all of Plaintiff's responsive documents be produced before then, but you provide no assurances as to the timing of the supplemental production. Your letter only states that you will provide an update by August 23.

We would like to address this on tomorrow's call. We are willing to extend the call to 5pm if need be. Please let us know if this works for you.

Best,
--Danielle

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From: Wharton, Jake <Jacob.Wharton@wbd-us.com>

Sent: Friday, August 16, 2024 7:23 PM

To: Tyson, Latoya <LatoyaTyson@dwt.com>

Cc: Elings, G. Roxanne <RoxanneElings@dwt.com>; Toaltoan, Danielle <DanielleToaltoan@dwt.com>; David Sar <DSAR@brookspierce.com>; Christopher B. Dodd <CDodd@BrooksPierce.com>; Wooten, JD <JD.Wooten@wbd-us.com>; Dority, James <James.Dority@wbd-us.com>

Subject: Sacks Holdings, Inc. v. Grin Natural USA Limited, et al.

[EXTERNAL]

Counsel:

Please see the attached correspondence.

Thank you.

Jake Wharton

Partner

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